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| To: | FROM: | RECEIVED CENTRAL FAX CENTER |
| Examiner M. Patterson | Byron S. Kuzara | |
| COMPANY: | DATE: | JAN 19 2006 |
| USPTO | January 19, 2006 | |
| FAX NUMBER: | TOTAL NO. OF PAGES: | 3 |
| 571-273-8300 | | |
| RE: | OUR REFERENCE NO.: | 005127.00260 |
| Serial No. 10/791,289 | | |
| <i>If you do not receive all page(s) or have any problems receiving this transmission, please call:</i> | | |
| NAME: Lesa Wolman | PHONE: 503-425-6800 | |
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I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at telephone number (571) 273-8300 on January 19, 2006.

Respectfully submitted,

Byron S. Kuzara
By: Byron S. Kuzara
Registration Number 51,255
Banner & Witcoff, Ltd.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Bhupesh DUA, et al.) Art Unit: 3728
Serial Number 10/791,289) Examiner: Patterson, M.
Filed: March 3, 2004) Attorney Reference: 005127.00260
For: AN ARTICLE OF FOOTWEAR)
HAVING A TEXTILE UPPER)

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Alexandria, VA 22313

Sir:

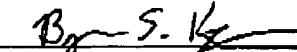
In response to the Restriction Requirement mailed January 5, 2006, the Applicants elect claims 1-49 and 65-67, which are drawn to an article of footwear. Claims 50-64 are, therefore, withdrawn from consideration. This election is made without traverse. The Applicants reserve the right, however, to file a divisional application to the non-elected claims.

This Response is being timely filed by facsimile transmission on January 19, 2006. Should fees or an extension of time be deemed necessary for consideration of this Response, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account number 19-0733 for the payment of the requisite fee. If anything further is

desirable to place the application in even better form for allowance, the Examiner is respectfully requested to telephone the undersigned representative at (503) 425-6800.

Examination on the merits is respectfully awaited.

Respectfully submitted,

By: 
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Registration No. 51,255

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Dated: January 19, 2006